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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PAVEL PETROVICH
GOLOSHCHAPOV,

Defendant.

Case No. 2:23-MJ-34 JCB_____

SEALED COMPLAINT

Count I: 18 U.S.C. § 922(a)(6), False
Statement During Acquisition of
Firearms.

Magistrate Judge Jared C. Bennett

Before the Honorable Jared C. Bennett, United States Magistrate Judge for the
District of Utah, appeared the undersigned, who on oath deposes and says:

COUNT I

18 U.S.C. § 922(a)(6)
(False Statement During Acquisition of Firearms)

On or about December 18, 2022, in the District of Utah,

PAVEL PETROVICH GOLOSHCHAPOV,

defendant herein, in connection with the acquisition of a firearms, to wit: three (3) Smith &
Wesson .30 caliber semi-automatic pistols, from a licensed firearm dealer within the

meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement intended and likely to deceive the firearm dealer with respect to any fact material to the lawfulness of such acquisition of the firearms, in that he falsely answered “yes” on ATF form 4473 asking whether he was the actual transferee/buyer of the firearms, and, as he then knew, his answer was untrue, all in violation of 18 U.S.C. § 922(a)(6), and punishable pursuant to 18 U.S.C. § 924(a)(2).

AFFIDAVIT IN SUPPORT OF COMPLAINT AND ARREST WARRANT

Complainant, Special Agent Jonathan Lee, being duly sworn, hereby states the following:

1. I am a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been so employed since March of 2018. I am a graduate of the Criminal Investigator Training Program and ATF Special Agent Basic Training program held at the Federal Law Enforcement Training Center in Glynco, Georgia. I have received specialized training in the enforcement of federal firearm and explosive laws. My duties and responsibilities include participating in the investigation and prosecution of persons who violate federal firearm laws and related federal criminal laws. As an ATF SA, I have participated in the investigation of persons who have violated federal laws. The majority of these investigations involved firearms and/or narcotics-related violations.

2. Prior to working for the ATF, I was employed as a law enforcement officer

for the Lakewood Police Department in Lakewood, Colorado, from March 2005 through February 2018, serving as a patrol officer, persons-related crimes detective, and patrol supervisor. As a law enforcement officer with the Lakewood Police Department, I conducted physical surveillance, interviewed sources of information and defendants, served and reviewed telephone court orders, served search warrants and arrest warrants, investigated violations of the Colorado Revised Statutes to include firearms and narcotics violations. Further, I have testified in judicial proceedings in both state and federal courts involving prosecutions relating to violations of state and federal firearms laws.

3. The statements in this affidavit do not contain all known information but rather only those facts believed necessary to establish probable cause for this Complaint. I am familiar with the facts and circumstances set forth herein as a result of a review of official reports and records, conversations with other law enforcement officers, and my own training, experience, and investigative efforts, as more fully described below.

BACKGROUND INFORMATION

4. As an ATF Special Agent, I have participated in investigations involving the unlawful acquisition of firearms, including investigations where individuals have provided false information during the acquisition of firearms, a violation of 18 U.S.C. § 922(a)(6).

5. When an individual purchases firearm(s) from a federally licensed firearm dealer (FFL), the individual is required to execute an ATF Form 4473. The form is the

official record that documents the transfer of the purchased firearm(s) from the FFL to the individual. When a purchaser fills out the form, the purchaser must provide personal information and answer a series of question that are designed to determine (1) the identity of the purchaser, (2) if the purchaser is buying the firearm(s) for himself/herself, and (3) if the purchaser is prohibited from obtaining and/or possessing the firearm(s). If an individual indicates they are not purchasing the firearm for himself/herself, the FFL is directed to not process the transaction.¹ Likewise, if an individual indicates their history includes a disqualifying event (i.e. a felony conviction, dishonorable discharge, etc.), the FFL is directed to not process the transaction. Individuals executing ATF 4473 Forms certify their statements are true and correct.

PROBABLE CAUSE

6. In December 2022, ATF learned that PAVEL PETROVICH GOLOSHCHAPOV (DOB) had purchased a significant number of firearms. An initial review of information showed that between April 4, 2022 and December 29, 2022, GOLOSHCHAPOV was linked to the purchase of thirty-six (36) firearms. Thirty-two (32) of these firearms were purchased between October 22, 2022 and December 29, 2022.

7. Of these known purchases, GOLOSHCHAPOV has repeatedly obtained

¹ There is a limited exception for a bona fide gift to a non-restricted third party. However, the individual selling the firearm must not receive any money, services, or items of value from the purchaser in exchange for the firearm.

firearms of a similar, if not identical, make, model, and caliber. GOLOSHCHAPOV possesses a valid Utah driver's license and a valid Utah concealed weapons permit. A phone number of [REDACTED] is associated with GOLOSHCHAPOV's driver's license.

8. On December 21, 2022, ATF agents queried GOLOSHCHAPOV's associated phone number for listings on www.utahgunexchange.com. Agents were able to locate seven (7) firearm listings posted in December 2022 under the username [REDACTED]. Six (6) of the seven (7) firearms listed for sale were listed as "new". Five (5) of the seven (7) firearms listed for sale were the same make, model, and caliber of firearms recently purchased by GOLOSHCHAPOV, based up on a review known purchases.

9. Agents observed that [REDACTED] listed a firearm for sale on December 17, 2022, at approximately 11:52 a.m. The listed price was \$699.00 (see images of listing below).





Price Negotiable?: Yes
Phone Number:
Condition: New
Listing Type: Individual
City:
State:
Zip/Postal Code:
Listed: December 17, 2022 11:53 am
Expires: 56 days

★ Add to favorites

Protect yourself from fraud. Click [HERE](#) for things to consider.

Description

New Smith and wesson m&p shield plus 30 super carry. New comes with 2 mags 16 rounds and 13 rounds. Comes with oem night sights. Comes with 50 rounds ammo and pistol has safty. And optic ready.

10. Agents observed that [redacted] posted another listing on December 18, 2022, at approximately 4:15 pm. The listed price was \$545.00 (see images of listing below).



New Smith and wesson m&p shield plus 30 super carry ultra compact

| New

Semi-Auto  18/Dec

New Smith and wesson m&p shield plus 30 super carry ultra compact. Ammo is sold separately for \$22 each box. It has night sights and [...]

40 total views, 3 today 

 **\$545.00**



Description

New Smith and wesson m&p shield plus 30 super carry ultra compact. Ammo is sold separately for \$22 each box. It has night sights and optic ready. Comes with 2 mags of 13 rounds and 16 rounds. Pistol comes with external safety. \$545 or best offers

11. A review of records revealed GOLOSHCHAPOV purchased three (3) Smith & Wesson M&P Shield Plus .30 caliber semi-automatic pistols on December 18, 2022 from an FFL. A receipt associated with the transaction shows a time stamp of 3:33 p.m. and a total purchase price of \$1,222.62 (\$407.54 for each firearm). The ATF 4473 Form associated with the transaction shows that GOLOSHCHAPOV answered “yes” on the question asking if he was the actual transferee/buyer of the firearms. GOLOSHCHAPOV also executed an acknowledgement form where he certified “I am the ultimate owner of the firearm(s) being acquired or it is a legitimate gift for another individual.”

12. The same day agents located the listings, an ATF agent acting in an undercover capacity (UC) contacted the phone number associated with the listings () via text message. The UC inquired how many of the Smith and Wesson

firearms were for sale. The seller responded that he had three (3) for sale. The UC made arrangements to purchase the three (3) Smith and Wesson pistols from the seller, who was later confirmed to be GOLOSHCHAPOV.

13. On December 22, 2022, GOLOSHCHAPOV and the UC met in the parking lot of a business in Sandy, Utah. Agents observed GOLOSHCHAPOV and a juvenile, later identified as GOLOSHCHAPOV's 15-year-old child, arrive at the location and park near the UC. GOLOSHCHAPOV and 15-year-old exited the vehicle approached the UC. 15-year-old carried three (3) pistol boxes and handed the boxes to the UC through the front passenger window.

14. The UC asked if GOLOSHCHAPOV had a firearm store. GOLOSHCHAPOV stated he did not and explained he had intentions of keeping the firearms as gifts for his children but had changed his mind.² GOLOSHCHAPOV confirmed the firearms were new and had never been fired. The UC asked what the price was for the firearms. The 15-year-old responded, "Wasn't it a thousand six hundred thirty?" The UC handed GOLOSHCHAPOV \$1,630.00 in previously documented U.S. Currency to complete the transaction. Prior to leaving, the UC asked if they could reach out to GOLOSHCHAPOV if the UC was looking to buy more guns. GOLOSHCHAPOV

² GOLOSHCHAPOV's statement regarding his intent to purchase the firearms as gifts conflicts with the timing of his listings on www.utahgunexchange.com. GOLOSHCHAPOV listed the first Smith & Wesson M&P Shield Plus .30 caliber semi-automatic pistol for sale on December 17, 2022 at approximately 11:52 a.m, which is approximately 27 hours prior to his execution of the ATF 4473 Form and acquisition of the firearms from the FFL. GOLOSHCHAPOV listed the second Smith & Wesson M&P Shield Plus .30 caliber semi-automatic pistol for sale on December 18, 2022 at approximately 4:15 p.m., which is approximately 45 minutes after his execution of the ATF 4473 Form and acquisition of the firearms from the FFL.

responded, “yeah.” The serial numbers confirmed all three (3) firearms were purchased by GOLOSHCHAPOV during the December 18, 2022 purchase. The entire transaction on December 22, 2022 was monitored by ATF agents. Additionally, the UC was able to obtain audio and video recordings of the transaction.

15. Based on the aforementioned facts, I hereby submit that there is probable cause to believe that PAVEL PETROVICH GOLOSHCHAPOV committed the offense of False Statement During Acquisition of Firearms, a violation of 18 U.S.C. § 922(a)(6). I swear the information contained in this affidavit is true and correct to the best of my knowledge, information, and belief.

DATED this 18th day of January, 2023.



SA JONATHAN LEE, Affiant
Bureau of Alcohol, Tobacco, Firearms,
and Explosives

SUBSCRIBED and SWORN before me this 18th day of January, 2023.



JARED C. BENNETT
Magistrate Judge, District of Utah

APPROVED AS TO FORM:

TRINA A. HIGGINS
United States Attorney

A handwritten signature in blue ink that reads "Victoria K. McFarland". The signature is written in a cursive, flowing style.

VICTORIA K. MCFARLAND
Assistant United States Attorney